

Notice of Allowability

Application No.

10/811,425

Examiner

Mariano Sy

Applicant(s)

ICHIKAWA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to January 31, 2006.
2. ☒ The allowed claim(s) is/are 1-9.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 12/14/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


JAMES MCCLELLAN
SUPERVISORY PATENT EXAMINER
4/16/06

EXAMINER'S AMENDMENT

1. In view of the allowance of the generic claim 1, previously withdrawn dependent claims 4-7 are now allowable.
2. The drawings filed on March 26, 2006 are accepted by the Examiner.
3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Alan S. Hodes on April 6, 2006.

4. The application has been amended as follows:
Claim 4, lines 1-2 "further comprising: " has been changed --wherein--,
Claim 4, line 3 "a rubber elastic plate partially defining the pressure-receiving chamber and disposed" has been changed --said rubber elastic plate disposed--,
Claim 4, lines 6-7 "a working air chamber disposed ----- adapted to function as the orifice control member, " has been deleted,
Claim 4, line 8 "conduit is connected" has been changed --conduit is directly connected--.

REASONS FOR ALLOWANCE

5. Claims 1-9 are allowed.

6. The following is an examiner's statement of reasons for allowance:

Kato (US 6,523,813) disclosed, as shown in fig. 1-4, a fluid-filled engine mount comprising: a first mounting member 12; a second mounting member 14; an elastic body 16; a pressure-receiving chamber 60 filled with non-compressible fluid; an equilibrium chamber 62 filled with the non-compressible fluid and partially defined by a flexible layer 52; an orifice passage 96 for connecting the equilibrium chamber to the pressure-receiving chamber, and tuned to a frequency band of engine idling vibrations; an orifice control member 64 operable by means of negative pressure exerted from an external space so as to restrict flow of the fluid through the orifice passage when an absolute value of the exerted negative pressure is greater than a predetermined value; and a negative pressure conduit 106 adapted to introduce negative pressure available from an air intake port of an internal combustion engine to the orifice control member via a pressure regulating valve. Muramatsu et al. (US 6,264,181) teaches, as shown in fig.1, a vibration damping device comprising a negative pressure conduit 71 adapted to always introduce negative pressure available from an air intake port of an internal combustion engine to the orifice control member.

However both Kato and Muramatsu et al. failed to disclose wherein the negative pressure conduit is directly connected to the working air chamber so that the rubber elastic plate is suctioned to be held in contact with an interior face of the working air

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chamber to restrict a motion thereof when the vehicle is in an engine idling condition thereof, and is moved away from the interior face of the working air chamber so as to elastically deformable due to an elastic resiliency thereof, when the vehicle is in a non-idling condition.

The aforementioned limitations and the arrangements thereof are not taught in the prior art. In light of the foregoing, the claims of present application are found to be patentable over prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariano Sy whose telephone number is 571-272-7126. The examiner can normally be reached on Mon.-Fri. from 8:30 A.M. to 2:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James McClellan, can be reached on 571-272-6786. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 M. Sy

April 11, 2006


JAMES MCCLELLAN
SUPERVISORY PATENT EXAMINER
4/12/06